

## REGION 6 EXECUTIVE SUMMARY

TOPIC: ODEQ and Citizen Inquiry into Muscogee (Creek) Nation Meat Processing Plant

DATE: 10/06/2021

CONTACT: Gerardo Acosta and Salina Gomez

PURPOSE/ACTION NEEDED: Information

DEADLINE DATE: 10/06/2021

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**BACKGROUND:** The Muscogee (Creek) Nation is constructing a meat processing plant on tribal trust land south of Tulsa, OK. The plant site is near the Nation's Duck Creek Casino. The construction was funded by CARES Act funding that the Nation was awarded. The facility is scheduled to open/operate in October- November 2021.

**CURRENT STATUS:** The Muscogee Nation has inquired with EPA about the general permitting requirements for a planned meat processing plant, including potential Clean Air Act (CAA) and Clean Water Act (CWA) permits. On June 9, EPA Region 6 met with The Muscogee (Creek) Nation, environmental office and EPA program offices (Tribal Affairs, Air and Water Permits Division, and Regional Counsel) to discuss inquiry. EPA addressed technical concerns on facility construction of meat processing plant on tribal trust land south of Tulsa, Oklahoma. EPA will continue to work with the Nation to advise them of any required CAA or CWA permits that may be needed either before construction or before operations at the plant begin.

### ENVIRONMENTAL/PUBLIC HEALTH CONCERNS:

- ODEQ inquired if a permit was needed for wastewater disposal. On 3/11/2021, Ms. Lacey Shirley, contacted Gerardo Acosta. Ms. Shirley represents Environmental Energy & Natural Resources (EENR) Advocates, in Tulsa, OK, and raised concerns about a lagoon from the packing plant near livestock and homes.

### TECHNICAL CONCERNS:

- ODEQ stated the plant will use an industrial impoundment for wastewater disposal; OCTEA is confirming wastewater disposal at the plant.
- If impoundment is total retention advised by 6WD that no NPDES permit is required.
- OCTEA will advise the Nation other permits may be needed for the plant. Project Officer, Salina Gomez mentioned to environmental office on inquiry and Mr. Trenton Kissee, Director of Division of Agriculture and Natural Resources.

### REGULATORY/LEGAL REQUIREMENTS:

- OCTEA confirmed plant is on trust land.

**COMMUNITY CONCERNS:** On 3/9/2021, the supervising attorney from the Oklahoma Department of Environmental Quality (ODEQ) inquired about required environmental permits for the plant. On 3/11/2021, OCTEA staff received a citizen inquiry about the plant, and there is an associated FOIA from the citizen.

**RECOMMENDATIONS:** OCTEA will consult with media programs (ECAD & WD) to prevent non-compliant operations.